

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOUIS FLOYD,
Plaintiff.

v.

SARATOGA DIAGNOSTICS, INC., et al.,
Defendants.

Case No. 20-cv-01520-MMC

JUDGMENT IN A CIVIL CASE

Re: Dkt. No. 56

(X) Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

1. To the extent the plaintiff seeks an award of \$500 in statutory damages under the Telephone Consumer Protection Act (“TCPA”), as well as an award of costs, the motion, for the reasons stated by plaintiff (see Pl.’s Mot. at 8:15 – 12:17, 13:11 – 14:17), is hereby GRANTED.

2. To the extent plaintiff additionally seeks an award of treble damages under the TCPA, the motion is hereby DENIED, as the complaint fails to allege facts to support a finding that any defendant willfully or knowingly violated the TCPA. See Strange v. Doe #1, 2020 WL 2476545, at *5, (W.D. La. Ma 12 2020) (holding plaintiff seeking default judgment as to TCPA claim not entitled to award of treble damages, where plaintiff failed to allege “any factual basis, beyond his conclusory statements,” to support finding defendant willfully or knowingly violated TCPA).

IT IS SO ORDERED AND ADJUDGED

Dated: 1/20/2022

Mark B. Busby, Clerk of Court



Tracy Geiger, Deputy Clerk